

1941  
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File No. B. Ferries.

Legal Dept  
B BRANCH

Subject:— A Bill to repeal the  
Bombay Ferries (Amst.) Act, 1942  
and to re-enact certain  
provisions thereof

is A Bill No XXXV of 1941  
Bomb. Act - No LIV of 1941.

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File No. B. Ferries / 14 /

Gen. 194 e.

581-B

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Legal Department File No. B Ferris/47.

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Office of the R.L.A.

A requisite draft Bill is sent herewith.

2. The subject-matter of the Bill falls under entries 18, 37 and 54 in the Provincial Legislative List and entries 32, 36 and 1 in Concurrent Legislative List in the Seventh Schedule to the Government of India Act, 1935.

3. None of the provisions of the Bill affects any special responsibility of the Governor under section 52(1). The Bill does not require any sanction or recommendation under the Government of India Act, 1935.

4. Since the provisions of clause 2 of the Bill which inter alia re-enacts sections 3 to 7 of Bombay Act XXI of 1942 are repugnant to sections 14 to 14 B of the Bombay Ferries Act, 1888, which is an existing Indian Law relating to entry 32 in the Concurrent Legislative List the Bill will have to be reserved for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935.

5. The Public Works Department will no doubt attach the Statement of Objects and Reasons to the Bill.

Sd/- P.M.LAD,

14/5.

Remembrancer of Legal Affairs.

U.R. to P.W.D. No. 5216, dated the 21st May 1947.

4-Cs.

M.V.V.

28/5.

No.11390.

Legal Department,  
 Bombay Castle, 28th November 1947.

From

P.M. Lad, Esquire, I.C.S.,  
 Secretary to the Government of Bombay.

To

The Private Secretary to the Governor of Bombay.

Subject :- A Bill to repeal the Bombay Ferries  
 (Amendment) Act, 1942, and to re-enact  
 certain provisions thereof.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for being presented to His Excellency the Governor, the authentic copy of the Bill to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 10th September 1947 and on the 20th October 1947, respectively.

2. The subject-matter of the Bill falls under entries 18, 37 and 54 in List II and entries 1, 32, and 36 in List III in the Seventh Schedule to the Government of India Act, 1935.

3. Since the provisions of clause 2 of the Bill which inter alia re-enacts ~~to~~ sections 2 to 8 of Bombay Act XXI of 1942 are repugnant to sections 14 to 14 B of the Bombay Ferries Act, 1868, which is an existing law relating to entry 32 in the Concurrent Legislative List, it is necessary to reserve the Bill for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935.

4. I also forward herewith six copies of each of the

4-Cs.  
 M.V.V.  
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Contd.....

|                                                                                                                                                                        | items                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| (1) Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.                                                                   | Nos. 1 to 3 and two          |
| (2) Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.                                 | copies of item No. 4 of      |
| (3) Bill as read for the third time and passed by the Bombay Legislative Council.                                                                                      | the papers noted in          |
| (4) Extracts from the proceedings of the Bombay Legislative Assembly dated the 10th September 1947 and of the Bombay Legislative Council, dated the 20th October 1947. | the margin. The Bill was not |
|                                                                                                                                                                        | notified                     |

referred to a Select Committee.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- P.M.LAD,  
27/11.

Secretary to Government.

Through

The Secretary to the Government of Bombay,  
Public Works Department.

4-Cs.

M.V.V.  
28/5.

No.P.S.G.-5783.

Office of the Private Secretary to the Governor,  
Government House,  
Bombay, 13th December 1947.

From

L.E.Bagshawe Esquire, I.C.S.,  
Private Secretary to the Governor of Bombay.

To

The Secretary to the Bombay Legislative Department,  
Council Hall, Bombay.

Subject:- The Bombay Ferries (Amendment)  
Bill, 1947.

Sir,

With reference to the above-mentioned Bill which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council on the 10th September and 20th October 1947, respectively, I am directed to state, for the information of the Honourable the Speaker and the Honourable the President, that since the provisions of clause 2 of the Bill which inter alia re-enacts sections 2 to 8 of the Bombay Ferries (Amendment) Act, 1944, are repugnant to sections 14 to 14B of the Bombay Ferries Act, 1868, which is an existing law relating to entry 32 in the Concurrent Legislative List, it is necessary to reserve the Bill for the consideration of His Excellency the Governor-General with reference to section 107(2) of the Government of India Act, 1935. His Excellency the Governor is accordingly pleased, under section 75 of the Government of India Act, 1935 to declare that he reserves the Bill for consideration of His Excellency the Governor-General.

Your obedient servant,

L.E.Bagshawe.

Private Secretary to the Governor of Bombay

No. P.S.G. 5784.

Office of the Private Secretary to the Governor,  
Government House,  
Bombay, 13th December 1947.

Copy forwarded with compliments for information to-

- (1) The Secretary to Government, Legal Department, with reference to his letter No. 11390, dated the 23rd November 1947;
- (2) The Secretary to Government, Public Works Department, with reference to his endorsement No. 2420/36-III-W, dated the 9th December 1947.

By order of the Governor of Bombay,

Sd/-

Private Secretary to The Governor of Bombay.

4-Cs.  
H.V.V.  
20/12

No. PSG. 192.

Government House.

Bombay 16th January 1948.

From

L.M. Madkarni, Esquire, I.C.S.,  
Private Secretary to the Governor of Bombay.

To

The Secretary to Government,  
Legal Department, Bombay,

Subject:- The Bombay Ferries (Amendment) Bill, 1947.

Sir,

With reference to the correspondence ending with this office endorsement No. PSG. 5784, dated the 13th December 1947, on the above subject, I am directed to say that His Excellency the Governor-General has, under the provisions of sub-section (1) of section 76 of the Government of India Act, 1935, assented to the Bombay Ferries (Amendment) Bill, 1947, on the 8th January 1948. The authentic copy of the Bill with His Excellency's assent signified thereon is returned herewith.

Your obedient servant,

Sd/-

Private Secretary to the Governor  
of Bombay.L-Cs.  
H.V.V.  
23/5.

Bills.

A Bill to repeal the Bombay  
Fees (Amendment) Act, 1942, and  
to re-enact certain provisions thereof.

GOVERNMENT OF BOMBAY.

Legal Department.

Resolution No. 8769.

Bombay Castle, 23th August 1947.

Memorandum from the Public Works Department No. 2420/36-III-W, dated the 26th August 1947.-Transferring for necessary action, the papers relating to a Bill to repeal the Bombay Fees (Amendment) Act, 1942, and to re-enact certain provisions thereof.

RESOLUTION : - The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press, Bombay, for publication in the Bombay Government Gazette, dated the 28th August 1947, as Bill No. XXIV of 1947.

2. The Bill and the Statement of Objects and Reasons should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette, on the 5th September 1947.

3. The dates of the various publications should be reported to the Secretary to the Bombay Legislature Department.

By order of the Governor of Bombay,

Sd/- S.B. Palekar,  
Deputy Secretary to Government.

To, The Manager, Government Central Press, Bombay (with the Bill and Statement of Objects and Reasons and with a request that 230 Gazette copies of the Bill and the Statement of Objects and Reasons may be forwarded to the Secretary to the Bombay Legislature Department for distribution to the Members of the Bombay Legislative Assembly and 25 copies for the use of the Legal Department and 25 copies for the use of the Public Works Department.

|                                                |                                               |
|------------------------------------------------|-----------------------------------------------|
| The Public Works Department.                   | ) With a<br>Copy of the<br>Bill and<br>S.O.R. |
| *The Oriental Translator Government,           |                                               |
| The Secretary to the Bombay Legislature Deptt. |                                               |
| The Director of Publicity, Bombay.             |                                               |

\* With five extra copies of the Bill.

4-Ca.  
M.V.V.  
28/5.

**Acts.**

Publication of the Bombay  
Ferry (Amendment) Act, 1947.

**GOVERNMENT OF BOMBAY.**

Legal Department.  
Resolution No. 671,  
Bombay Castle, 19th January 1948.

Letter to the Private Secretary to the Governor, No. 11990, dated the 28th November 1947.

Letter from the Private Secretary to the Governor, No. PSQ.192, dated the 16th January 1948 .-

"With reference to the correspondence ending with this office endorsement no. PSQ.5784, dated the 13th Dec. 1947, on the above subject, I am directed to say that His Excellency the Governor-General has, under the provisions of sub-section (1) of section 76 of the Government of India Act, 1935, assented to the Bombay Ferry (Amendment) Bill, 1947, on the 8th January 1948. The authentic copy of the Bill with His Excellency's assent signified thereon is returned herewith."

**RESOLUTION:** The law should be published as Bombay Act No. LV of 1947, in the Bombay Government Gazette dated the 19th January 1948.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Public Works Department with reference to the Memorandum from that Department No. 2420/36-III-W, dated the 26th August 1947.

By order of the Governor of Bombay,

Sd/- S.L. CHAUDHARI,  
Assistant Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legal Department).

|                                                        |                                 |
|--------------------------------------------------------|---------------------------------|
| The Public Works Department,                           | } with a<br>copy of<br>the Act. |
| * The Oriental Translator to Government,               |                                 |
| The Bombay Legislature Department,                     |                                 |
| The Director of Publicity, Bombay,                     |                                 |
| The Extra Enquiry Officer for the Secretariat, Bombay. |                                 |

\* With five extra copies of the Act.

4-Cs.  
M.V.V.  
28/3.



# The Bombay Government Gazette

PUBLISHED BY AUTHORITY

THURSDAY, 28TH AUGUST 1947.

separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART V

To be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations to be published in the "Bombay Government Gazette". The dates of publication to be reported.]

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules :—

### L. A. BILL No. XXXV OF 1947.

*A Bill to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof.*

26  
Geo. 5  
ch. 2.

Bom.  
XXI  
of  
1942.

WHEREAS in view of the provisions of sub-section (4) of section 93 of the Government of India Act, 1935, it is expedient to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof; It is hereby enacted as follows :—

1. This Act may be called the Bombay Ferries Short title. (Amendment) Act, 1947.

Bom.  
XXI  
of  
1942.

2. The Bombay Ferries (Amendment) Act, 1942, is hereby repealed and sections 2 to 8 thereof (both inclusive) are re-enacted.

Repeal of  
Bom. XXI  
of 1942 and  
re-enactment  
of sections 2  
to 8 thereof.

### STATEMENT OF OBJECTS AND REASONS.

In consequence of some very serious accidents to ferries and other craft plying in inland waters the most serious of which was the boat accident at Surat on the 12th August 1938, which involved a loss of nearly 80 lives, the Bombay Ferries Act, 1868, was amended by Bombay Act XXI of 1942, under the powers vested by section 93 of the Government of India Act, 1935. with the

object of instituting better control over vessels plying on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, so as to prevent the recurrence of such accidents, as far as possible. Under subsection (4) of section 93 of the Government of India Act, 1935, this amending Act (Bom. XXI of 1942) will have effect only for a period of two years from the date from which the Proclamation will cease to have effect. It is considered necessary to have this amending Act continued as a permanent measure. This Bill, therefore, is intended to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof.

Dated 25th August 1947.

(Signed) M. D. D. GILDER.

By order of the Governor of Bombay,

P. M. LAD,

Secretary to the Government of Bombay,

Legal Department.

Bombay, dated 28th August 1947.

**L. A. BILL No. XXXV OF 1947.**

*A Bill to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof.*

**(As read for the third time and passed by the Legislative Assembly on the 10th September 1947.)**

26  
Geo. 5  
ch. 2.

Bom.  
XXI  
of  
1942.

WHEREAS in view of the provisions of sub-section (4) of section 93 of the Government of India Act, 1935, it is expedient to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof; It is hereby enacted as follows :—

1. This Act may be called the Bombay Ferries Short title, (Amendment) Act, 1947.

Bom.  
XXI  
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1942.

2. The Bombay Ferries (Amendment) Act, 1942, is hereby repealed and sections 2 to 8 thereof (both inclusive) are re-enacted.

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Dated 25th August 1947.

M. D. D. GILDER.

**Government of Bombay**

**LEGAL DEPARTMENT**

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**[L. A. BILL No. XXXV OF 1947]**

**(As read for the third time and passed by  
the Legislative Assembly on the  
10th September 1947.)**

---

**A Bill to repeal the Bombay Ferries  
(Amendment) Act, 1942, and to re-enact  
certain provisions thereof.**

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**[Dr. M. D. D. GILDER, M.L.A.]**

*Bomb Act LV 1947*  
~~L. A. BILL NO. XXXV OF 1947.~~

*A Bill to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof.*

(As read for the third time and passed by the Legislative Assembly on the 10th September 1947.)

(As read for the third time and passed by the Legislative Council on the 20th October 1947.)

26  
Geo. 5  
ch. 2.

Bom.  
XXI  
of  
1942.

WHEREAS in view of the provisions of sub-section (4) of section 93 of the Government of India Act, 1935, it is expedient to repeal the Bombay Ferries (Amendment) Act, 1942, and to re-enact certain provisions thereof; It is hereby enacted as follows :—

1. This Act may be called the Bombay Ferries Short title, (Amendment) Act, 1947.

Bom.  
XXI  
of  
1942.

2. The Bombay Ferries (Amendment) Act, 1942, is hereby repealed and sections 2 to 8 thereof (both inclusive) are re-enacted.

Repeal of  
Bom. XXI  
of 1942 and  
re-enactment  
of sections 2  
to 8 thereof.

**Government of Bombay**

**LEGAL DEPARTMENT**

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**[L. A. BILL No. XXXV OF 1947.]**

**(As read for the third time and passed  
the Legislative Assembly on the  
10th September 1947.)**

**(As read for the third time and passed  
by the Legislative Council on the  
20th October 1947.)**

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**A Bill to repeal the Bombay Ferries  
(Amendment) Act, 1942, and to re-enact  
certain provisions thereof.**

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**[Dr. M. D. D. GILDER, M.L.A.]**

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